

DSS ADMINISTRATIVE LETTER

Family Support and Child Welfare Services #01-05

Dear County Director of Social Services:

ATTENTION: Work First Supervisors

DATE: January 24, 2005

RE: SANCTION POLICY

A number of questions have been raised about implementing the sanction changes associated with the TANF State Plan, that became effective January 2005. The new sanction policy was issued with Work First Change Notice #6-2004. The purpose of this letter is to provide clarification for the implementation of the new sanction policy. We are providing examples with policy clarification.

I. Ongoing Cases in Active Sanction Prior to January 2005

A. Pay Type '1'

Example #1: Case is in first MRA sanction with begin date December 2004. A review is completed in January 2005.

Response #1: Case remains in pay type '1' for February 2005. Evaluate whether the sanction should continue or end in February. If the family is not in compliance at the time of evaluation, give timely notice and change the pay type to 'S' effective March, or end sanction if client is now in compliance.

Example #2: Case is in first MRA sanction with begin date December 2004. A change in income is reported in January 2005. Worker completes the change on January 28, 2005 for benefit month March 2005 because pull check date has passed.

Response #2: The new sanction policy applies for March 2005, since the family has received reduced benefits under the old sanction policy for December, January, and February. If the family is not in compliance at the time of evaluation, give timely notice and change the pay type to 'S' effective March 2005, or end sanction if client is now in compliance.

Ongoing cases in pay type '1' with an active sanction under the old sanction policy must be allowed to receive three months of reduced payments under the old sanction policy. Beginning benefit month of April 2005; a cases in sanction

must be in pay type 'S'. At the end of the sanction period, evaluate these cases to determine if the pay type should be changed from '1' to 'S' or if the sanction should be ended and the payment increased.'

B. Pay Type '2' Pay After Performance Sanctions

Pay after Performance as a sanction is no longer valid as of January 2005. However, current cases in pay after performance as a sanction will continue in pay type '2' through benefit month March 2005.

Ongoing cases in pay type '2' as a pay after performance sanction will continue under the old pay after performance sanction policy. Beginning benefit month of April 2005, the pay type on these cases must be changed from '2' to 'S', or changed to 1 if it is appropriate to end the sanction.

January checks can be issued with clients in Pay After Performance if they have complied. February and March checks will have be issued 5022. After 3 months of no benefits the case will transfer to MAF.

II. Approving Applications/Reapplications with Active Sanction Begin Date Prior to January 2005

A. First MRA or IVD Sanction

Example #1: Case is under sanction beginning December 2004. Case terminated 12/31/04. Family reapplies 12/18/04. Application is approved January 19, 2005.

Response #1: Worker will follow old sanction policy. Payments issued for December, January, and February will be reduced by 25%.

Example #2: Case is under sanction beginning December 2004. Case terminated 12/31/04. Family reapplies 12/18/04. Application is approved January 19, 2005. A change in income is reported in February 2005.

Response #2: Worker completes the change for benefit month March 2005. The new sanction policy applies for March 2005, since the family has received reduced benefits under the old sanction policy for December, January, and February.

Example #3: Application is taken on December 15 and processed on January 13. The case is under a first MRA sanction beginning October 2004.

Response #3: At the time of disposition, the worker will evaluate whether the client has complied or not. If she has not complied, approve case in pay type 'S' effective January 2005. If client has complied key approval with pay type '1' effective January 2005 and enter December check in the retro 1 field on the 8125.

If a family re-applies and a previously imposed sanction is still in place, continue the sanction for the duration of 3 months of reduced benefits as specified in the old sanction policy.

B. Pay Type '2' Pay After Performance Sanctions

Pay after Performance as a sanction is no longer valid as of January 2005. However, cases in pay after performance as a sanction will continue in pay type '2' through benefit month March 2005.

Example: Case is under sanction beginning December 2004. Case terminated 12/31/04. Family reapplies 12/18/04. Application is approved January 19, 2005 in pay type '2'.

Response: Worker will follow old pay after performance sanction policy. If family has not complied by pull-check in February, the case will transfer to MAF. Three consecutive months of noncompliance result in transfer to MAF.

III. Approving Applications/Reapplications with Active Sanction Begin Date January 2005 or After

Example: Client applies for Work First Family Assistance on December 22, 2004. Worker approves case on January 3, 2005. On January 31, 2005 it is reported that client has not cooperated with child support.

Response: Worker will give timely notice, and if client does not cooperate apply new sanction policy. Pay type must be 'S'.

Applications/reapplications, changes in situation, and reviews must follow new sanction policy.

IV. Cases Not in Sanction as of January 2005

Applications/reapplications, changes in situation, and reviews must follow new sanction policy.

V. Benefit Month April 2005 and Later

Example: Case is under 2nd IV-D sanction with begin date December 2004. Parent has been deleted from case and has not cooperated with child support.

Response: Effective with benefit month March 2005, if parent does not comply, the worker must transfer the case to MAF. If she complies, end the sanction and add parent to case, and change pay type to '1'.

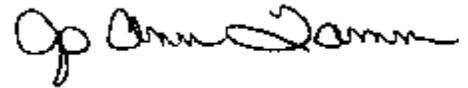
All cases under sanction in pay type '1' or '2' must be changed to 'S' effective benefit month April 2005.

VI. NOTICES

Notices of the new sanction policy are being mailed to families who did not receive a check in December 2004.

If you have any policy questions, please contact your Work First Representative.

Sincerely,

A handwritten signature in black ink, appearing to read "Jo Ann Lamm". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Jo Ann Lamm, Section Chief

Family Support and Child
Welfare Services Section

JAL/dcs

cc: Work First Representatives

Family Support and Child Welfare Monitors

Family Support and Child Welfare Services Team Leaders

Pheon Beal

Wilbert Morris

Sherry Bradsher